

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

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U.S. DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

2014 MAY 15 P 12:38

Ernest Richardson, Jr., #90956-071,)

Petitioner,)

v.)

State of South Carolina,)

Respondent.)

Civil Action No. 3:09-160-SB

ORDER

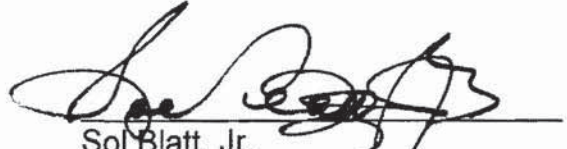
This matter is before the Court upon the Ernest Richardson, Jr.'s ("Richardson" or "the Petitioner") pro se motion to reconsider the Court's order dated April 23, 2014, wherein the Court denied Richardson's motion to reopen his case and vacate the Court's earlier order denying relief under 28 U.S.C. § 2254.

Rule 59(e) allows a party to file a motion to alter or amend a judgment within "28 days after the entry of the judgment." Fed. R. Civ. P. 59(e). A motion to alter or amend a judgment is "an extraordinary remedy which should be used sparingly." Pac. Ins. Co. v. Am. Nat'l Fire Ins. Co., 148 F.3d 396, 403 (4th Cir.1998) (quoting 11 Wright et. al, Federal Practice and Procedure § 2810 .1, at 124 (2d ed.1995)). It may only be granted for three reasons: "(1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available at trial; or (3) to correct a clear error of law or prevent manifest injustice." Id. In the instant motion, Richardson merely reiterates arguments that the Court considered and rejected in its April 2014 order, and after review, the Court finds no basis to reconsider, alter, or amend its judgment.¹ Therefore, it is hereby

¹ As an initial matter, the Court notes that Richardson has already filed a notice appealing this Court's April 2014 order to the Fourth Circuit Court of Appeals. (See Entry 75.)

ORDERED that Richardson's motion to reconsider (Entry 80) is **DENIED**.

AND IT IS SO ORDERED.


Sol Blatt, Jr.
Senior United States District Judge

May 15, 2014
Charleston, South Carolina

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